

REMARKS

Claims 1-25 were examined and reported in the Office Action. Claims 1-25 are rejected. In response, no claims are amended, no claims are cancelled, and no claims are added. Applicant requests reconsideration of the application in view of the following remarks.

I. 35 U.S.C. § 103(a)

Claims 1-8, 11-23 and 25 are rejected in the Office Action under 35 U.S.C. § 103(a), as being unpatentable over U. S. Patent No. 5,594,779 issued to Goodman (“Goodman”) in view of U.S. Patent No. 6,754,335 issued to Shaffer et al. (“Shaffer”). Applicant respectfully traverses this rejection.

Claim 1 recites:

1. System for downloading multimedia content to a terminal (50; 60, 70) wherein the downloading is carried out via a mobile telephony network (10), the said terminal (50; 60, 70) being able to be connected to the mobile telephony network (10), said system comprising:
a voice recognition device (40),
a database (30) connected to the network (10) and containing multimedia files, the terminal (50; 60, 70) being able to transmit a voice request designating one or more file(s) contained in the database (30) emanating from the user to the voice recognition device (40) and the voice recognition device (40) is able to recognize the voice request that it receives, to convert said recognize voice request into a plurality of text requests, said text request having most probably the same content as the recognized voice request and to return to the terminal (50; 60, 70) one or more possible text request(s) for confirmation by the user, the terminal being able to return one of the text request selected by the user, wherein a multimedia file corresponding to the selected text request is downloaded from the database (30) to the terminal (50; 60, 70) via the mobile telephony network (10). (Emphasis added.)

While Applicant’s argument here is directed to the cited combination of references, it is necessary to first consider their individual teachings, in order to ascertain what combination (if any) could be made from them.

Goodman is generally directed to a system for downloading multimedia content (programs.) In Goodman, the SR/SAR starts prompting the user with predefined menus and then

the user gives verbal responses. The SR/SAR interprets the verbal response until a specific program is identified. (See col. 14, lines 38-50.) In contrast with Claim 1, the system as disclosed in Goodman does not allow a user to confirm that his request has been correctly interpreted by the SR/SAR.

As acknowledged by the Examiner, Goodman fails to teach that the voice recognition device (SR/SAR) recognizes the received voice request, converts the voice request into a plurality of text requests, said text requests having most probably the same content as the recognized voice request and returns to the terminal one or more possible text request(s) for confirmation by the user, the terminal being able to return one of the text requests selected by the user, and that a multimedia file corresponding to the selected text request is downloaded from the database to the terminal via the mobile telephony network, as in Claim 1. As a result, the Examiner cites Shaffer.

Shaffer generally relates to a system for queuing, dispatching and generating announcements for incoming calls received by an Emergency Response Center. Shaffer specifies that a caller (1) can be prompted by the system to enter a type of occurrence, e.g., “1” for flood, “2” for fire, “3” for automobile accident, “4” for robbery, etc. The caller may speak the type of occurrence when prompted, then a speech to text recognition system converts the voice to text and sends the data to an occurrences database (130). (See col. 3, line 60-col. 4, line 13.)

In contrast with Claim 1, Shaffer does not disclose that the speech to text recognition system converts the voice request into a plurality of text requests, said text requests having most probably the same content as the recognized voice request. By contrast to the conversion of a voice request into a plurality of text requests of Claim 1, in Shaffer, the type of occurrence entered by the user seems to be converted in unique text request.

Moreover, Shaffer does not disclose that the speech to text recognition system returns to the terminal (i.e., the caller) one or more possible text request(s) for confirmation by the user, the terminal being able to return one of the text requests selected by the user, as in claim 1. In

Shaffer, the speech to text recognition system directly sends the converted data to the occurrence database (130). In addition, Shaffer does not disclose that a multimedia file corresponding to the selected text request is downloaded from a database to the terminal (i.e., to the caller) via the mobile telephony network, as recited in Claim 1. In Shaffer, the terminal (1) does not receive any multimedia file from the database (130).

Furthermore, it can be noted that in Goodman, if the requests of the user are not correctly interpreted by the SR/SAR, then the system downloads a wrong program. In contrast, the system according to Claim 1, starts recognizing a voice request and then returns to the user's terminal a list of several requests having most probably the same content as the recognized voice request for confirmation. This represents a major difference between the invention of Claim 1 and Goodman. With the system of Claim 1, the user can check that his voice request has been correctly recognized by the voice recognition device before downloading the requested media file.

We submit that Shaffer does not rectify the deficiencies of Goodman, in particular because the system disclosed in Shaffer does not allow the user to check whether his request has been correctly interpreted by the speech to text recognition system, as in Claim 1. Therefore, even if one ordinary skilled in the art tried to modify the system in Goodman by incorporating features taught by Shaffer, he would not obtain the invention as recited in Claim 1.

Hence, no combination of Goodman in view of Shaffer can disclose or suggest a system for downloading multimedia content wherein the voice recognition device recognizes the received voice request, converts the voice request into a plurality of text requests, said text requests having most probably the same content as the recognized voice request and returns to the terminal one or more possible text request(s) for confirmation by the user, the terminal being able to return one of the text requests selected by the user, wherein a multimedia file corresponding to the selected text request is downloaded from the database to the terminal via the mobile telephony network, as in Claim 1.

For each of the above reasons, therefore, Claim 1 and all claims which depend from Claim 1 are patentable over the cited references. Consequently, Applicants respectfully request reconsideration and withdrawal of the § 103(a) rejection of Claims 1-8.

Each of the Applicants other independent claims include limitations similar to those discussed above. Therefore, all of the Applicants other independent claims, and all claims which depend on them, are patentable over the cited art for similar reasons. Consequently, Applicants respectfully request that the Examiner reconsider and withdraw the §103 rejection of Claims 11-23 and 25.

Claims 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goodman in view of Shaffer and further in view of U.S. Patent No. 6,996,393 to Pyhalammi (“Pyhalammi”). In addition, Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Goodman in view of Shaffer and further in view of U.S. Patent No. 6,345,250 to Martin (“Martin”). Applicants respectfully traverse these rejections.

DEPENDENT CLAIMS

In view of the above remarks, a specific discussion of the dependent claims is considered to be unnecessary. Therefore, Applicant’s silence regarding any dependent claim is not to be interpreted as agreement with, or acquiescence to, the rejection of such claim or as waiving any argument regarding that claim.

CONCLUSION

In view of the foregoing, it is submitted that claims 1-25 patentably define the subject invention over the cited references of record, and are in condition for allowance and such action is earnestly solicited at the earliest possible date. If the Examiner believes a telephone conference would be useful in moving the case forward, he is encouraged to contact the undersigned at (310) 207-3800.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly, extension of time fees.

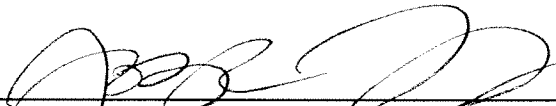
PETITION FOR EXTENSION OF TIME

Per 37 C.F.R. 1.136(a) and in connection with the Office Action mailed on December 28, 2007, Applicant respectfully petitions the Commissioner for a one (1) month extension of time, extending the period for response to April 28, 2008. The Commissioner is hereby authorized to charge payment to Deposit Account No. 02-2666 in the amount of \$120.00 to cover the petition filing fee for a 37 C.F.R. 1.17(a)(1) large entity.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR, & ZAFMAN LLP

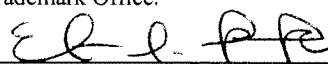
Dated: 4/28/08

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CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being submitted electronically via EFS Web on the date shown below to the United States Patent and Trademark Office.


Elaine Kwak

4/28/08
Date